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PATENT

Docket No.: 713-1003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Christian BAUER

U.S. Patent Application No. 10/767,745

Filed: January 30, 2004

For: RETAINING MEMBER

Confirmation No. 9896

Group Art Unit: 3632

Examiner: ALFRED J. WUJCIAK

NOTICE OF APPEAL  
FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

## Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner finally rejecting claims 1 and 12-32.

Appeal Fee: \$500.00

Extension Fee: \$120.00

- ☒ Petition for Extension of Time attached.  
☒ Credit Card Authorization form attached.  
☐ Charge to Deposit Account No. 07-1337.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN &amp; BERNER, LLP

Benjamin Hauptman  
Registration No. 29,310

11/07/2005 MBINAS 00000038 10767745

01 EC:1401 500.00 OP  
 CERTIFICATION OF FACSIMILE TRANSMISSION  
 I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED  
 TO THE PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW

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 Date: November 4, 2005

Kindra Bryant  
 TYPE OR PRINT NAME OF PERSON SIGNING CERTIFICATION

SIGNATURE

November 4, 2005  
 DATE

571-273-8300  
 FACSIMILE NUMBER

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